

# ***New York Daily News***

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## **Advocate for Poor Has Own Obstacles**

Greg Wilson

Former prosecutor Michael Mazzariello was finally doing the kind of legal work he'd always dreamed of, but after less than a year of helping East New York's poor, he's getting booted from the bodega he turned into an office.

Nearly a year ago, Mazzariello, a former assistant district attorney who grew up in East New York, started a nonprofit practice helping the working poor navigate the legal system. Immigration, landlord-tenant disputes and even criminal cases are the specialty of his East New York Legal Services Corp. on New Lots Ave.

The office, in a former bodega, was Mazzariello's idea, and he got some help from high places early on.

"I picked up the phone and called Rudy Giuliani on his radio program," Mazzariello said. "I said, 'Mr. Mayor, we're interested in renting space in a building the city owns."

"I swear, within an hour, the building was ours. We filled out all the paperwork. We got the nonprofit status from the feds. We were rolling."

Refusing to charge clients, Mazzariello, 42, said he used his family's savings to sustain the office during the first year. Already recognized as a federal nonprofit, the agency is awaiting state status that would allow it to survive on charitable donations.

"This is what I want to do - to give back to the community," said Mazzariello, who worked under Brooklyn District Attorney Charles Hynes from 1990 to 1993, followed by a stint as the Board of Education's chief prosecutor.

Under the city Housing Preservation and Development Department's tenant ownership program, Mazzariello and partner Joe Guzzo learned they could rent to own. They invested \$8,500 in a new facade, rest room makeover and other modest improvements.

## Another Bidder

Then, last week, Mazzariello got bad news from the department. A tenant in the building had put in an application to buy it first. Program guidelines give tenants priority over commercial users.

Department spokeswoman Carol Abrams said homeownership comes first, even over community-minded agencies like Mazzariello's.

"We give priority to the residential tenants because we're a residential housing agency," Abrams said.

Julio Montalvo, whose parents live in one of the two residential units above the storefront legal practice, plans to buy the property. He did not say how much he was paying, but he said the units are rent-controlled. That makes getting fair market value for the commercial space a must. That could amount to several times as much as the \$250 a month Mazzariello currently pays the Housing Preservation and Development Department.

"I embrace the kind of business he is running," Montalvo said. "But we didn't go into this in bad faith. Everything being done here is being done properly. If he has a beef, he should take it to" the department.